

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

MARCUS D. NORTON,

Plaintiff,

vs.

Case No. 3:06cv268

MEIJER GROUP, INC.,

JUDGE WALTER HERBERT RICE

Defendant.

DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATIONS
OF UNITED STATES MAGISTRATE JUDGE (DOC. #3) IN THEIR
ENTIRETY; PLAINTIFF'S OBJECTIONS TO SAID JUDICIAL FILING
(DOC. #4) OVERRULED; PLAINTIFF'S COMPLAINT DISMISSED WITH
PREJUDICE, AS BARRED BY THE APPLICABLE STATUTE OF
LIMITATIONS; ADDITIONAL GROUND FOR DISMISSAL AGAINST
INDIVIDUAL DEFENDANTS SET FORTH; ANTICIPATED MOTION FOR
LEAVE TO APPEAL *IN FORMA PAUPERIS* DENIED; TERMINATION ENTRY

Based upon the reasoning and citations of authority set forth in the
Magistrate Judge's Reports and Recommendations (Doc. #3), filed September 11,
2006, and, further, based upon a thorough *de novo* review of this Court's file and
the applicable law, said Report and Recommendations are adopted in their entirety.
The Plaintiff's Objections to said judicial filing (Doc. #4) are overruled.

Judgment is ordered entered in favor of the Defendants and against Plaintiff
herein, dismissing the Plaintiff's Complaint, with prejudice, due to the bar of the

applicable statute of limitations and, in addition, due to the fact that the individual Defendants are not *sui juris* under the law of the Sixth Circuit.

Based upon the reasoning set forth in the Magistrate Judge's Report and Recommendations, Doc. #3 at 4, the anticipated request by the Plaintiff for leave to appeal *in forma pauperis* is denied.

The captioned cause is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

/s/ Walter Herbert Rice

April 19, 2007

WALTER HERBERT RICE
UNITED STATES DISTRICT JUDGE

Copies to:

Marcus D. Norton, Pro Se